

<b>DIVISION OF MINED LAND RECLAMATION</b>		<b>PROCEDURE NO.</b>	2.2.11
<b>PROCEDURES MANUAL</b>		<b>ISSUE DATE</b>	March 12, 1997
<b>SUBJECT</b>	Priority Review of Applications	<b>Section</b>	Technical/Permitting
		<b>Last Revised</b>	2-8-93

### **OBJECTIVE AND INTENT:**

The DMLR shall endeavor to review each application in an expeditious and efficient manner. In order to assist its clients, the DMLR may honor an applicant's request for expedited review due to unforeseen circumstances experienced by the applicant.

### **PROCEDURES:**

#### **Requests for Priority Review -**

When priority review is necessitated by hardship as a result of unforeseen circumstances, the Field Inspector shall advise the applicant to submit a written request for expedited review to the Reclamation Program Manager. The Inspector shall remind the applicant that the request must be reviewed by the Inspector before it is forwarded to the Reclamation Program Manager.

The Inspector shall ensure the request for priority review includes:

- a statement describing what hardship exists;
- supporting evidence for the hardship determination; and,
- the date by which Division's review approval is needed.

The Inspector shall instruct the applicant to place a copy of the request with each copy of the application (available for inspection and copying).

**The Inspector may request priority review of the application due to outstanding enforcement action.**

#### **Permit Section's Review -**

Each request will be evaluated by the Reclamation Program Manager in conjunction with the Field Inspector's recommendation. In each case, the requested review completion date will serve only as a target date. The Division will strive to accommodate the applicant's request, but shall not render a premature decision. The Division's workload and other factors may preclude completion by the requested date. The Reclamation Program Manager shall notify the applicant in writing (within five working days from the Division's receipt of the request) if the request cannot be granted. The denial shall explain why the request was not approved.

**A new permit application or revision containing a "significant departure"** usually requires the most time to review; therefore, the Division shall endeavor to conduct the approved priority review by completing the **first review** within 20 working days (this time will be needed to perform an adequate and complete review).

- Second and third reviews may be assigned a priority date of less than 20 working days, provided the operator's response to comments is timely and complete.
- If resubmittals (responses and corrections) are not adequate to allow approval after the third review, the priority status will expire.

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**Insignificant revisions** normally require less time to review, do not require public notification, and often are mandated by an immediate need in the field; therefore,

- Priority review dates of less than 20 working days may be assigned for the first and second reviews.
- If the first resubmittal (responses and corrections) is not adequate to allow approval after the second review, the priority status will expire.

When the Reclamation Program Manager receives and approves a request for a priority review, the Review Inspector shall label the front of the application with **“PRIORITY”** and indicate the:

- date the request was received.
- “review by” date.
- “return by” date.

The latter two dates may or may not coincide with the completion date requested by the applicant or Field Inspector.

The review completion dates will be determined by considering the merits of the request, the current permit review workload, and staff availability. When logging the application into the Permitting Review tracking system, the standard 20 day turn around time will be entered in each case.

Review personnel will strive to complete the review as soon as possible, but by the priority date. If it appears that workload impedes review by the set deadline, the reviewer shall seek direction from the immediate supervisor.

Should the Division return the application for corrections to the applicant, and the applicant subsequently fails to resubmit the required revisions or corrections to the Division within the set resubmittal time, the Division will discontinue its expedited review.